

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)	
)	
Suspension of the Educator)	
)	
Certificate of)	ORDER
)	
Carla D. Decker,)	
)	
Certificate 200636)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this certificate suspension or revocation matter on February 8, 2005. On March 26, 2004, the South Carolina Department of Education (Department) sent Ms. Carla D. Decker a notice of her right to a hearing before the State Board concerning the possible suspension or revocation of South Carolina educator certificate number 200636 by certified mail, return receipt, restricted delivery, and regular mail. Ms. Decker received the notice as evidenced by a postal receipt. Ms. Decker subsequently requested a hearing that was held by John J. Fantry, Esquire, a hearing officer appointed by the State Board, on January 6, 2005. On February 8, 2005, Mr. Fantry presented his report to the State Board. Mr. Fantry recommended that the State Board suspend Ms. Decker's certificate for a period of seventy-six days retroactively from February 13, 2004 until May 1, 2004. After receiving the report the State Board voted to accept the recommendation of the hearing officer.

FINDINGS OF FACT

Ms. Decker holds a South Carolina certificate with over two years of teaching experience. Ms. Decker entered into a contract on November 13, 2003, with the Greenville County School District (District) for the remainder of the 2003-2004 school year as a physical education teacher at Berea Middle School. Prior to being hired, Ms. Decker informed District administration that her desire

was to seek a full-time college coaching position and that she initially only wanted a substitute position. The administration agreed to work with her and allowed her to continue her assistant coaching position at Presbyterian College. Ms. Decker continued to seek a college coaching position and was offered a position as head volleyball coach at West Virginia Wesleyan College. Ms. Decker informed her administrators on February 2, 2004, that she had accepted this position and agreed to stay on with the District for two weeks. During that time, Ms. Decker helped with the interviewing process and prepared lesson plans for her replacement. Ms. Decker's last day was February 13, 2004. On March 1, 2004, the Superintendent notified Ms. Decker that he would not accept her resignation and that he was presenting this matter to the District Board. On March 9, 2004, the District Board voted to submit the matter to the State Board of Education for action on Ms. Decker's certificate.

CONCLUSIONS OF LAW

The State Board of Education has jurisdiction of this matter pursuant to S.C. Code Ann. § 59-25-530, which states, "Upon the formal complaint of the [local] school board, substantiated by conclusive evidence, the State Board shall suspend or revoke the teacher's certificate..." After considering the findings of the hearing officer, the State Board voted to suspend Ms. Decker's certificate 200636 retroactively from February 13, 2004 until May 1, 2004.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester

Chair

Columbia, South Carolina

February 8, 2005